



**THE ATTORNEY GENERAL
OF TEXAS**

GERALD C. MANN

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WILL WILSON

ATTORNEY GENERAL

AUSTIN 11, TEXAS

April 28, 1939

Hon. F. E. Rightor
Secretary
Texas State Board of Registration
for Professional Engineers
Austin, Texas

Dear Sir:

Opinion No. 0-687
Re: Renewal fees for certificate of
registration of professional
engineers.

Your request for an opinion on the above stated questions has been received by this office.

Your letter reads in part as follows:

"The Board is in receipt of a letter which reads as follows:

"Section 16 of the Engineers License Law provides that a certificate of registration may be renewed at any time with the maximum fee of twice the normal. I take this to mean that at some future date when and if I return to Texas my certificate may be renewed for the sum of \$10.00. Please advise if this assumption is correct. I left Texas in August, 1938 and expect to be away several years."

"Please advise if this registrant is correct in his assumption that \$10.00 is the maximum amount collectable for renewal, or it is the intention of the act that the registrant can be charged a total of \$10.00 for each year he is delinquent."

Section 1 of Senate Bill No. 74, Acts of the 45th Legislature, regulating the practice of professional engineers provides that:

"That in order to safeguard life, health, and property, any person practicing or offering to practice the profession of engineering as hereinafter defined shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or offer to practice the

profession of engineering in this State, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the the impression that he is a professional engineer unless such person has been duly registered or exempted under the provisions of this Act."

Section 16 of Senate Bill No. 74, supra, reads as follows:

"Expirations and Renewals.--Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one (1) year; such notice shall be mailed at least one (1) month in advance of the date of the expiration of said certificate. Renewal may be affected at any time during the month of December by the payment of a fee of Five (\$5.00) Dollars. The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten (10%) per cent for each month or fraction of month that renewal payment is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee."

Section 16 above quoted specifically provides that the maximum fee for delay in renewal shall not exceed twice the nominal fee.

You are respectfully advised that it is the opinion of this Department that \$10.00 is the maximum amount collectable for renewal of certificates of registration of professional engineers and that it is not the intention of the above mentioned act that the registrant can be charged the total of \$10.00 for each year he is delinquent.

Trusting that the foregoing answers your inquiry, we remain

Very truly yours
ATTORNEY GENERAL OF TEXAS
s/ Ardell Williams
By

Ardell Williams
Assistant

AW:AW/cg
APPROVED:
s/ Gerald C. Mann
ATTORNEY GENERAL OF TEXAS